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Express Mail No. EV 475 140 912 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dasseux *et al.*

Confirmation No.: 9584

Serial No.: 10/743,952

Art Unit: 1614

Filed: December 24, 2003

Examiner: To be assigned

For: KETONE COMPOUNDS AND
COMPOSITIONS FOR
CHOLESTEROL MANAGEMENT
AND RELATED USES

Attorney Docket No: 10173-111-999
(CAM #371855-999106)

TRANSMITTAL OF REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith a Revocation and Power of Attorney executed by Roger S. Newton, as Executive Vice President of Esperion Therapeutics, Inc. the Assignee of the entire interest in the above-identified patent.

Applicants request that the Revocation and Power of Attorney be made of record in the file in connection with the above-identified patent.

It is estimated that no fee is due in connection with this transmittal. In the event that a fee is required, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Date: July 9, 2004

Respectfully submitted,
Anthony M. Insogna, Reg. No. 35,203
By: *Michael J. Bruner, Reg. No. 47,458*
By: Michael J. Bruner (Reg. No. 47,458)
For: Anthony M. Insogna (Reg. No. 35,203)
JONES DAY
222 East 41st Street
New York, New York 10017
(858) 314-1130

Enclosure



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POWER OF ATTORNEY

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REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Esperion Therapeutics, Inc. (applicant or assignee) hereby revokes any and all previous powers and appoints:

Practitioners at Customer Number 20583

as his/her/its/their attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence address for the above-identified application to:

The above mentioned Customer Number.

Firm or Individual Name:

Address: Jones Day, 222 East 41st Street, New York, New York 10017

Telephone: (212) 326-3939

Esperion Therapeutics, Inc. is the:

Applicant/Inventor
 Assignee of record of the entire interest. See 37 CFR 3.71.
(*Statement under 37 CFR 3.73(b) is applicable*)

Statement Under 37 C.F.R. 3.73(b)

Esperion Therapeutics, Inc. states that it is:

the assignee of the entire right, title, and interest; or
 an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was filed in the United States Patent and Trademark Office on June
7, 2004, for which a copy thereof is attached.

OR

A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: To:
The document was recorded in the United States Patent and Trademark Office on at Reel , Frame , or for which a copy thereof is attached.

2. From: To:
The document was recorded in the United States Patent and Trademark Office on at Reel , Frame , or for which a copy thereof is attached.

3. From: To:
The document was recorded in the United States Patent and Trademark Office on at Reel , Frame , or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: Esperion Therapeutics, Inc.

Date:

June 29, 2004

Signature:

Roger S. Newton

Typed Name:

Roger S. Newton

Position/Title:

Executive Vice President

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

Total of one form is submitted.



Express Mail No. EV 326 326 688 US

RECORDATION FORM COVER SHEET
PATENTS ONLY

Attorney Docket Number
10173-111-999

Mail Stop Assignment Recordation Services
Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Please record the attached original documents or copy thereof.

1. Name of conveying parties: Jean-Louis Dasseux and Carmen Daniela Oniciu		2. Name and address of receiving party: Name: <u>Esperion Therapeutics, Inc.</u> Address: <u>3621 S. State Street, 695 KMS Place</u> <u>Ann Arbor, Michigan 48108</u>
Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Country (if other than USA):
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment Merger Security Agreement Change of Name Other		
Execution Date: <u>May 14, 2004 and May 14, 2004, respectively</u>		

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No.(s) <u>10/743,952</u> B. Patent No.(s)		
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
5. Name and address of party to whom correspondence concerning document should be mailed: JONES DAY 222 East 41st Street New York, New York 10017		6. Number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41):\$ <u>40.00</u> Please charge to the deposit account listed in Section 8. 8. Deposit account number: <u>50-3013</u>

DO NOT USE THIS SPACE

9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> <i>Anthony M. Insogna, Reg. No. 35,203</i> Anthony M. Insogna <u>35,203</u> By: <u>Michael D. Brum, Reg. No. 47,458</u> June 7, 2004 Name of Person Signing Reg. No. Signature Date			
Total number of pages including cover sheet: <u>3</u>			

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services
Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

JOINT

ASSIGNMENT

WHEREAS, WE, JEAN-LOUIS HENRI DASSEUX, a citizen of France, residing at 7898 Huron Oak Drive, Brighton, Michigan 48116; and CARMEN DANIELA ONICIU, a citizen of U.S.A., residing at 3920 NW 23rd Drive, Gainesville, FL 32605, ASSIGNORS, are the inventors of the invention in **KETONE COMPOUNDS AND COMPOSITIONS FOR CHOLESTEROL MANAGEMENT AND RELATED USES** for which we have executed an application for a Patent of the United States

which is executed on even date herewith or
 which is identified by Jones Day docket no. 10173-111-999
 which was filed on December 24, 2003, Application No. 10/743,952
 We hereby authorize and request our attorney, , of Jones Day, , to insert here in parentheses (Application number, _____ filed _____) the filing date and application number of said application when known.

and WHEREAS, ESPERION THERAPEUTICS, INC., a corporation organized and existing under the laws of the state of Michigan, and having an office for the transaction of business at 3621 S. State Street, 695 KMS Place, Ann Arbor, MI 48108, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

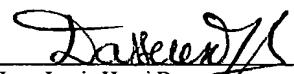
AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date May 14, 2004


Jean-Louis Henri Dasseux
L.S.

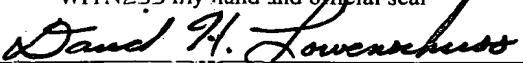
Date May 14, 2004


Carmen Daniela Oniciu
L.S.

State of Michigan)
County of Washtenaw)
SS.:)

On May 14, 2004, before me, David H. Lowenfels, Notary Public, personally appeared Jean-Louis Henri Dasseux, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal



My Commission expires June 25, 2008

State of Michigan)
) SS.:
County of Washtenaw)

On May 14, 2004, before me, David H. Lowerschur, Notary Public, personally appeared Carmen Daniela Oniciu, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

David H. Lowerschur
My commission expires June 25, 2008